



Legislative Bulletin.....January 23, 2012

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H.R. 1141 - Rota Cultural and Natural Resources Study Act
(Del. Sablan, D-MP)

Order of Business: The bill is scheduled to be considered on Monday, January 23, 2012, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 1141 mandates that the Secretary of the Interior carry out a feasibility study regarding the designation of certain historic, and limestone forest sites on the island of Rota, Commonwealth of the Northern Mariana Islands, as being included as a unit of the National Park System. This study is due in a report to Congress within three years after funds are appropriated for this act.

The legislation contains a number of findings, including:

- “The island of Rota was the only major island in the Mariana Islands to be spared the destruction and large scale land use changes brought about by World War II;
- “The island of Rota's natural resources are significant because of the extent and intact condition of its native limestone forest that provides habitat for several federally endangered listed species, the Mariana crow, and the Rota bridled white-eye birds, that are also native to the island of Rota. Three endangered plant species are also found on Rota and two are endemic to the island; and
- “Because of the significant cultural and natural resources listed above, on September 2005, the National Park Service, Pacific West Region, completed a preliminary resource assessment on the island of Rota, Commonwealth of the Northern Mariana Islands, which determined that the ‘establishment of a unit of the national park system appear[ed] to be the best way to ensure the long term protection of Rota's most important cultural resources and its best examples of its native limestone forest.’”

Potential Conservative Concerns: Some conservatives may be concerned that this legislation could be an introductory step to incorporating parts of the island Rota into the national park system. The legislation mentions a previous National Park Service (NPS) assessment and states “establishment of a unit of the national park system appear[ed] to

be the best way to ensure the long term protection of Rota's most important cultural resources and its best examples of its native limestone forest.”

The federal government is currently the largest landowner in the United States, owning more than 660 million acres. This equates to around 1/3 of the entire land mass of the United States. Many conservatives have advocated that the U.S. should own less land, not more.

Additionally, the NPS has a maintenance backlog of around \$10.17 billion ([as of FY2009](#)). This legislation would require the NPS to divert existing resources to comply with the mandates of this legislation. This legislation does not contain an offset, or any other reduction to existing NPS responsibilities, to counteract the cost that the NPS would incur in order to carry out this legislation.

Committee Action: H.R. 1141 was introduced on March 16, 2011, and referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. A full committee markup was held on June 15, 2011, and the legislation was favorably reported by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that carrying out the study required by H.R. 1141 would cost about \$200,000 over the next three years. CBO's report can be [viewed here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: The legislation would require an additional study to be conducted by the National Park Service. This additional study could arguably lead to the island of Rota being incorporated into the national park system. This would be an expansion in the size and scope of the federal government at a time when the federal government currently owns around 1/3 of the entire U.S. land mass.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: [House Report 112-167](#) states that H.R. 1141 “contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.”

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: [House Report 112-167](#) states that H.R. 1141 “does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.”

Constitutional Authority: Del. Sablan's statement of constitutional authority states: “Congress has the power to enact this legislation pursuant to the following: Under Article I, Section 8, Clause 3 and Article IV, Section 3, Clause 2 of the Constitution.” The statement can be [viewed here](#).

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 3117 - Permanent Electronic Duck Stamp Act of 2011 (Wittman, R-VA)

Order of Business: The bill is scheduled to be considered on Monday, January 23, 2012, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 3117 would allow the Secretary of the Interior (through the U.S. Fish and Wildlife Service) to authorize any state to issue electronic duck stamps. These stamps are necessary in order to hunt migratory waterfowl. The legislation contains criteria to be included in a state's application to the Secretary in order to issue electronic stamps.

These stamps shall be valid for up to 45 days, in order to allow time for the actual stamp to be delivered.

The Secretary reserves the right to terminate a state's ability to issue electronic stamps if the state violates any terms of the application. The state may also terminate their authority if they so chose.

Additional Information: According to the sponsor:

“Every hunter in the United States over the age of 16 is required to purchase a Federal duck stamp to hunt migratory waterfowl. The cost of each Federal duck stamp is \$15. This stamp also allow entrance to all national wildlife refuges without any additional feesIn 2007-2008, 1.3 million Federal duck stamps were sold and \$22 million was collected and deposited into the Migratory Bird Conservation Fund. In 2007-2008, due to an Act of Congress, the Fish and Wildlife Service was able to offer for the first time electronic duck stamps though a three-year pilot program. These stamps are valid for 45-days and they supplement but do not replace printed stamps. In 2010, 364,000 E-Stamps were sold which represented more than 25 percent of total Federal duck stamp sales. H. R. 3117 will make the availability of electronic Federal duck stamps permanent.”

Outside Groups Supporting:

Congressional Sportsmen's Foundation
Ducks Unlimited ([testimony linked here](#))

Committee Action: H.R. 3117 was introduced on October 6, 2011, and was referred to the House Natural Resources Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs. A full committee markup was held on November 17, 2011, and the legislation was favorably reported, as amended, by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that enacting H.R. 3117 would affect direct spending and revenues. However, CBO estimates that the net effects would be insignificant for each year because the legislation would not have a significant impact on the number of federal duck stamps purchased. CBO's report can be [viewed here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks.

Constitutional Authority: Rep. Wittman's statement of constitutional authority states: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3 of the Constitution of the United States." The statement can be [viewed here](#).

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.
